

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chairman Mike Milburn, on April 6, 2009 at 3:00 P.M., in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Mike Milburn, Chairman (R)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. JP Pomnichowski, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Brian Hoven (R)
Rep. Tom McGillvray (R)
Rep. Mike Menahan (D)
Rep. Scott Mendenhall (R)
Rep. Mike Miller (R)
Rep. Michele Reinhart (D)
Rep. Kendall Van Dyk (D)
Rep. Wendy Warburton (R)

Members Excused: Rep. Chas Vincent (R)

Members Absent: None

Staff Present: Shirley Chovanak, Committee Secretary
Joe Kolman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 303, 4/1/2009; SJ 28, 4/1/2009

Executive Action: SB 94; SB 303; SJ 28

00:01:05 Chairman Milburn

EXECUTIVE ACTION ON SB 94

00:01:20 **Motion:** Rep. Cohenour moved that **SB 94 BE CONCURRED IN.**

00:02:10 Chairman Milburn

00:02:24 Rep. Cohenour

00:02:30 Joe Kolman, LFD

Discussion:

00:06:43 Rep. Cohenour

00:07:11 Rep. Mendenhall

00:08:41 Rep. Pomnichowski

00:10:25 Rep. McGillvray

00:10:54 Mr. Kolman

00:11:23 Rep. McGillvray

00:11:37 Rep. Cohenour

00:12:09 Mr. Kolman

00:12:35 Chairman Milburn

00:14:36 **Vote:** Motion failed by roll call vote 9-9, with Reps. Pomnichowski, Van Dyk, Reinhart, Hands, Blewett, Cohenour, Dickenson, Belcourt, and Menahan voting aye. Reps. Hands and Vincent voted by proxy.

HEARING ON SB 303

Opening Statement by Sponsor:

00:13:45 Sen. David Wanzenried (D), SD 49, opened the hearing on SB 303, Update state water plan.

Proponents' Testimony:

00:20:00 Rep. Hands arrives.

00:20:21 Ronda Wiggers, Montana Water Well Drillers Association

00:21:08 Mike Murphy, Montana Water Resources Association

00:21:42 Krista Lee Evans, Senior Water Rights Coalition and Association of Gallatin Agriculture Irrigators

00:23:01 Mark Aagenes, Montana Trout Unlimited

00:23:55 Jeff Tiberi, Montana Association Conservation Districts

00:24:31 Gary Amestoy, Richland County Economic Development Corporation

00:27:02 Holly Franz, PPL Montana; Clark Fork Rivers Basin
Task Force

Opponents' Testimony: None

Informational Testimony:

00:30:13 Jan Langel, Water Resource Division, Department of
Natural Resources (DNRC)

Questions from Committee Members and Responses:

00:30:30 Rep. Miller
00:31:03 Sen. Wanzenried
00:32:01 Rep. Miller
00:32:17 Sen. Wanzenried
00:33:12 Rep. Pomnichowski
00:33:36 Ms. Evans
00:34:17 Rep. Pomnichowski
00:34:50 Ms. Evans
00:35:26 Rep. Pomnichowski
00:35:53 Sen. Wanzenried
00:36:12 Rep. Pomnichowski
00:36:35 Sen. Wanzenried
00:36:51 Rep. Pomnichowski
00:37:24 Sen. Wanzenried
00:37:51 Rep. Reinhart
00:38:17 Sen. Wanzenried
00:38:50 Rep. Mendenhall
00:39:13 Sen. Wanzenried
00:39:22 Rep. Mendenhall
00:39:25 Sen. Wanzenried
00:39:47 Rep. Mendenhall
00:39:57 Sen. Wanzenried
00:40:39 Rep. Mendenhall
00:41:02 Sen. Wanzenried
00:41:37 Rep. Mendenhall
00:42:23 Ms. Franz
00:43:39 Rep. Mendenhall
00:44:27 Ms. Franz
00:45:55 Rep. Hendrick
00:46:18 Sen. Wanzenried
00:46:41 Rep. Hendrick
00:46:57 Sen. Wanzenried
00:48:33 Rep. Hoven
00:49:08 Ms. Franz
00:50:01 Rep. Hoven
00:50:04 Ms. Franz
00:50:53 Rep. Hoven
00:51:22 Ms. Franz

Closing by Sponsor:

00:52:10 Sen. Wanzenried

00:52:51 Rep. Pomnichowski leaves.

00:54:49 Chairman Milburn and Reps. Cohenour and Blewett leave.

HEARING ON SJ 28

Opening Statement by Sponsor:

00:55:16 Sen. Jim Peterson (R), SD 15, opened the hearing on SJ 28, Resolution requesting an interim study on recycling and solid waste recovery.

Proponents' Testimony:

00:58:37 Elaine Taylor, Montana Beverage Association

[EXHIBIT\(nah75a01\)](#)

01:04:36 Matt Elsaesser, S.A.V.E.

[EXHIBIT\(nah75a02\)](#)

Opponents' Testimony: None

Informational Testimony:

01:07:27 Lou Moore, Chief, Energy and Pollution Prevention Bureau, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

01:07:59 Rep. McGillvray

01:08:31 Sen. Peterson

01:09:57 Rep. McGillvray

01:10:24 Sen. Peterson

01:11:32 Rep. McGillvray

01:11:47 Sen. Peterson

01:12:31 Rep. Bennett

01:13:14 Ms. Taylor

01:14:06 Rep. Bennett

01:14:36 Mr. Elsaesser

01:15:49 Rep. Bennett

01:16:04 Mr. Elsaesser

Closing by Sponsor:

01:16:18 Sen. Peterson

01:17:56 Vice Chairman Hendrick
01:18:15 Sen. Peterson
01:18:19 Vice Chairman Hendrick

EXECUTIVE ACTION ON SJ 28

01:19:02 **Motion:** Rep. Dickenson moved that **SJ 28 BE CONCURRED IN.**

Discussion:

01:19:19 Rep. Hands
01:21:37 Vice Chairman Hendrick

01:23:57 **Vote:** Motion carried unanimously by voice vote with Chairman Milburn and Reps. Cohenour, Blewett, Vincent, and Pomnichowski voting by proxy. Rep. Hendrick will carry the bill.

EXECUTIVE ACTION ON SB 303

01:23:44 **Motion:** Rep. Dickenson moved that **SB 303 BE CONCURRED IN.**

Discussion:

01:24:01 Rep. Hoven
01:25:50 Rep. Belcourt leaves.
01:25:57 Rep. Hands
01:28:06 Rep. Reinhart
01:29:54 Rep. Dickenson
01:31:59 Vice Chairman Hendrick
01:33:52 Rep. Hands
01:34:40 Rep. McGillvray
01:35:21 Rep. Hands
01:35:25 Rep. McGillvray
01:35:51 Rep. Hands
01:36:27 Rep. McGillvray
01:36:35 Rep. Hands
01:37:14 Rep. McGillvray
01:38:01 Rep. Dickenson
01:39:32 Mr. Kolman
01:39:52 Rep. Pomnichowski returns.
01:40:47 Vice Chairman Hendrick
01:40:56 Mr. Kolman
01:41:29 Rep. Hoven
01:42:51 Vice Chairman Hendrick

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01:43:12 Rep. Reinhart

01:44:11 Rep. Pomnichowski

01:46:35 Vice Chairman Hendrick

01:46:59 Rep. Hands

01:47:36 **Vote:** Motion carried 14-4 by roll call vote with Reps. Mendenhall, Hoven, Bennett, and Vincent voting no. Chairman Milburn and Reps. Cohenour, Belcourt, and Vincent voted by proxy. Rep. Dickenson will carry the bill.

ADJOURNMENT

01:49:15 Adjournment: 4:50 P.M.

Shirley Chovanak, Secretary

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Additional Documents:

EXHIBIT ([nah75aad.pdf](#))